

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Testimony indicated that the subject property, known as 2412 York Road, consists of a gross area of 0.326 acres, more or less, zoned R-O and is improved with a 1.5 story frame dwelling. Said property is located at the northwest corner of York Road and Harding Street in the Timonium area of Baltimore County. The Petitioner is desirous of utilizing the subject property and existing improvements thereon as office space. Due to site constraints of the property, the requested variances are necessary in order to use the property as proposed.

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of July, 1993 that the Petition for Variance requesting relief from Section 409.4(b) of the Baltimore County Zoning

5 When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

(over)

Reg. T.
v-11-93
Estimated Hearing time - 1.5 hrs

ITEM # 405

Richard John Truelove P.E. 5-11-93

ITEM # 405

S. Zehe Orlean
Publisher

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 5-11-93 ACCOUNT R-001-6150

AMOUNT \$ 250.00

RECEIVED FROM Mary C. Brewer

FOR VARIANCE

ITEM # 405 PAYMENT \$ 250.00

VALIDATION OR SIGNATURE OF CARRIER

93-410-A

WALTER L. BREWER, INC.
TIMONIUM PLUMBING & HEATING
MECHANICAL CONTRACTOR
AIR CONDITIONING
RESIDENTIAL - COMMERCIAL - INDUSTRIAL

3 ROOSEVELT ST.
TIMONIUM, MD. 21093
252-1414

WATER HEATERS & BOILERS REPLACED
JET & SUBMERGIBLE WATER SYSTEMS
HEATING SPECIALIST
SEWAGE TIE INS & RENEWAL
ELECTRIC SEWER ROOTER
GARBAGE DISPOSALS
DISHWASHERS
TRENCHING & WATER SERVICE
WATER PURIFICATION
BATHROOMS REMODELED
REPAIRS & NEW INSTALLATION

Case # 93-410-A

RECEIVED
JUN 13 1993
ZADM

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 6/8/93 ACCOUNT R001-6150

AMOUNT \$ 35.00

RECEIVED FROM Mary C. Brewer

FOR 080 - Posting Charge 93-410-A

VALIDATION OR SIGNATURE OF CARRIER

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MAY 27, 1993

May C. Brewer
3 Roosevelt Street
Timonium, Maryland 21093

RE: PAYMENT OF POSTING AND ADVERTISING FEES
Case Number: 93-410-A
2412 York Road

Dear Petitioners:

Be advised that a new policy has been established to handle the fees with regard to property posting and legal advertising. As in the past, this office will ensure that the legal requirements for posting and advertising are satisfied; the policy change will effect to whom and when these fees are paid.

The above-referenced petition was filed as the new policy was being formulated, and now falls under same. Consequently, one or more of the following applies:

- (✓) Posting charges in the amount of \$ 35* are now due. Your check in this amount should be made payable to "Baltimore County, Maryland" and immediately mailed to this office.
- (✓) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- () If you are represented by an attorney, this bill may be forwarded your attorney, who in turn, will either re-route it to you for payment or make payment to the newspaper and later add these charges to his/her accounting for services rendered.

Please be further advised that non-payment of posting and/or advertising fees will stay the issuance of the Zoning Commissioner's Order.

If you have any questions concerning this letter, you may contact Gwen Stephens at 887-3391.

AJ:ggs

Arnold Jablon
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

MAY 27 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-410-A (Item 405)
2412 York Road
Mac York Road and Harding Street
8th Election District - 3rd Councilmanic
Petitioner(s): Mary C. Brewer
HEARING: MONDAY, JUNE 21, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit parking spaces to adjoin and have direct access to a private alley in lieu of the required aisle; to permit the continued use of the existing alley to access an office use in a R.O. zone; and to allow an existing 12 foot two-way entrance into a public road to continue in lieu of the required 24 foot minimum width.

Arnold Jablon
DIRECTOR

cc: Mary C. Brewer
Nicholas Comodari

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

TO: PUTNEY PUBLISHING COMPANY
June 3, 1993 Issue - Jeffersonian

Please forward billing to:

Mary C. Brewer
3 Roosevelt Street
Timonium, Maryland 21093
(410) 252-1414

NOTICE OF HEARING

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Laurence E. Schmidt
Laurence E. Schmidt

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 11, 1993

Ms. Mary C. Brewer
3 Roosevelt Street
Timonium, Md 21093

RE: Case No. 93-410-A, Item No. 405
Petitioner: Mary C. Brewer
Petition for Variance

Dear Ms. Brewer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 11, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 7, 1993
Zoning Administration and Development Management

FROM: Robert W. Bowling, Senior Engineer
Development Plan Review

RE: Zoning Advisory Committee Meeting
for June 8, 1993
Item No. 405

The Development Plan Review Section has reviewed the subject zoning item. We believe that this conversion to office use warrants bringing the site to public standards. Accordingly, the following improvements should be required:

1. Construct curb and gutter, sidewalk and paving along Harding Street in its ultimate location. ✓
2. Construct entrance to match 20-foot drive width. ✓
3. Dedicate right-of-way along your frontage for ultimate 50-foot right-of-way for Harding Street. ✓
4. Relocate Baltimore Gas and Electric Utility Pole #636666. ✓

A final landscape plan is required prior to release of the Change of Use Permit. Plan focus will be Harding Street and buffer for rear residence.

RWB:DAK:g



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

HELENE KENICINE
Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 405(RT)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-6-21 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Date: May 27, 1993
 FROM: Captain Jerry Pfeifer
 Fire Department
 SUBJECT: Comments for 06/08/93 Meeting

Item 405 Building shall comply with applicable provisions of the 1991 Life Safety Code.
 Item 416 No Comments
 Item 417 No Comments
 Item 418 No Comments
 Item 419 No Comments
 Item 420 No Comments
 Item 421 No Comments
 Item 422 No Comments
 Item 423 No Comments
 Item 424 No Comments

JP/dmc

RECEIVED
 MAY 28 1993

ZADM

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Zoning Administration &
 Development Management
 FROM: Pat Keller, Deputy Director
 Office of Planning and Zoning

DATE: June 9, 1993

SUBJECT: 241 York Road

INFORMATION:

Item Number: 405 93-410-A

Petitioner: Mary C. Brewer

Property Size:

Zoning: RO

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The Timonium Heights West residential area is one that is continually experiencing commercial development pressures. While the RO zone, Class A office use along York Road is appropriate, measures must be undertaken to protect the adjoining residential community from further non-residential encroachment. This includes adequate setbacks and buffers from residentially zoned or used land.

The petitioner has not sufficiently demonstrated a hardship in this variance request. Land area exists in the side yard that would permit off-street parking with the required setbacks and screening.

Based upon the information provided and the analysis conducted, staff recommends that the applicant's request be denied.

Prepared by:

Division Chief:

PK/JL:lw

RECEIVED
 JUN 23 1993
 ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy Kotroco
 Deputy Zoning Commissioner

Date: July 1, 1993

FROM: Robert W. Bowling, Senior Engineer
 Development Plan Review

SUBJECT: Zoning Item 93-405
 Brewer Property
 York Road and Harding Street

RECEIVED
 JUL 1 1993
 ZONING COMMISSIONER

We have reconsidered our comments on the Brewer Property Zoning Variance. Our revised comments are as follows:

- 1) The developer is required to dedicate the right-of-way for Harding Avenue. The ultimate road right-of-way is 50 feet. No improvements are required at this time.
- 2) The plan shows that the existing alley is stone. We recommend that the alley be paved from the proposed parking area to Harding Avenue.

If you have any questions, please contact me at Ext. 3751.

RWB:pab

cc: File

BREWSTER/PB_MEMO4

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

Suite 113 Courthouse
 400 Washington Avenue
 Towson, MD 21204

August 18, 1993

(410) 887-4386

Mr. Richard Truelove
 28 E. Susquehanna Avenue
 Towson, Maryland 21286

RE: PETITION FOR VARIANCE
 NW Corner York Road and Harding Street
 (2412 York Road)
 8th Election District - 3rd Councilmanic District
 May C. Brewer - Petitioner
 Case No. 93-410-A

Dear Mr. Truelove:

This office is in receipt of a copy of the letter dated July 14, 1993 from Kathy Schlabach of the Office of Planning and Zoning to the file in which she details the agreement reached between you and the Office of Planning and Zoning and the Landscape Architect for Baltimore County as to the required landscaping for the subject property.

Please be advised that the terms and conditions listed in said letter meets the requirements set forth in Restriction No. 4 of the Order issued July 21, 1993 in the above-captioned matter. As such, all landscaping for the subject site shall be in accordance with that agreed to in the letter, which shall be incorporated into the case file and made a part of the record.

Very truly yours,

Timothy M. Kotroco
 Deputy Zoning Commissioner
 for Baltimore County

TMK:bje

cc: File

Kathy Schlabach - OPZ
 Avery Harden - DPW

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco DATE: August 10, 1993
 Deputy Zoning Commissioner
 FROM: Kathy Schlabach, Planner
 Office of Planning & Zoning
 SUBJECT: PETITION FOR ZONING VARIANCE - MAY C. BREWER, PETITIONER
 CASE NO. 93-410-A (#405)

Per our telephone discussion, I am forwarding a copy of a memo detailing the conditions agreed to by Richard Truelove, Avery Harden and me concerning the referenced petition. Some items have not been reflected in your opinion; however, Mr. Truelove has informed me he intends to perform them.

Thank you for your assistance in this matter.

KS:lw
 KS2V405/PZONE/TXTLLF

Enclosure

cc: Richard Truelove
 Avery Harden

RECEIVED
 AUG 11 1993
 ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: File DATE: July 14, 1993
 FROM: Kathy Schlabach
 Office of Planning & Zoning
 SUBJECT: ZONING VARIANCE #405 - 2412 York Road

On July 12, 1993, Avery Harden and I met with Richard Truelove, P.E., to discuss the site and landscape plans for the Brewer property at 2412 York Road. The following revisions were agreed upon in support of the requested zoning variances:

1. The parking area will be accessed via the existing alley which will be upgraded to a 20' width and paved the entire length of the property.
2. All parking spaces will be paved. Parking space #6 will be paved only if needed for medical office use.
3. A 20' wide landscaped buffer will be installed and maintained adjacent to the alley along the adjoining property also owned by the Brewers. The buffer will extend the entire length of the subject property.
4. A 10' wide landscape screen will also be installed between parking space #5 and Harding Street.
5. A large deciduous tree will be planted at the corner of Harding Street and York Road. All landscaping shall meet the requirements of the Landscape Manual.

KS:lw
 KS2V405/PZONE/TXTLLF

cc: Richard Truelove
 Avery Harden

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 5, 1994
 Zoning Administration and
 Development Management

FROM: Pat Keller, Deputy Director
 Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
 Item Nos. 377, 397, 398, 399, 400, 402, 409, 410, 412 and 414.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL:lw

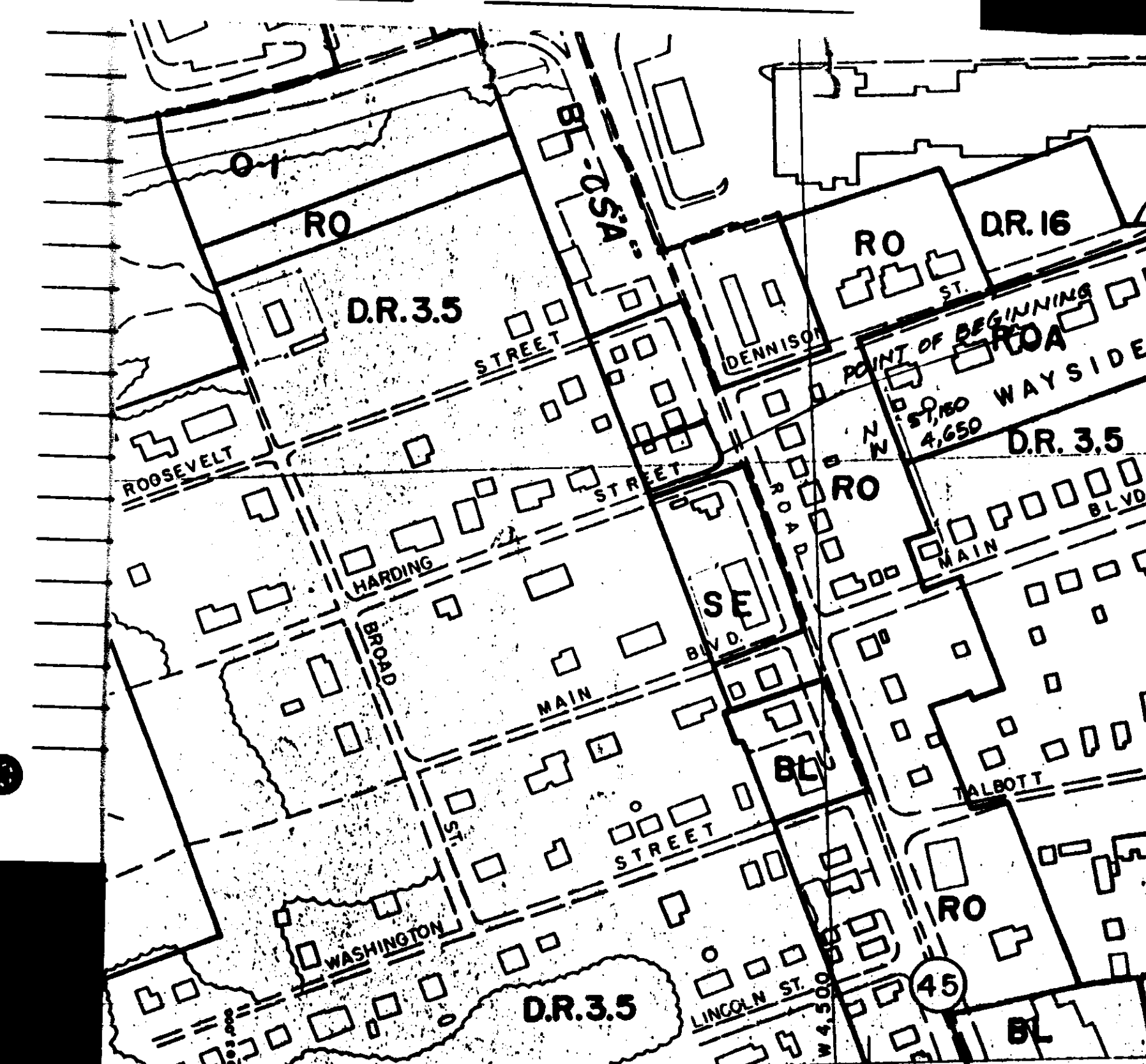
RECEIVED
 MAY 4 1994
 ZONING COMMISSIONER

ZAC.377/PZONE/ZAC1

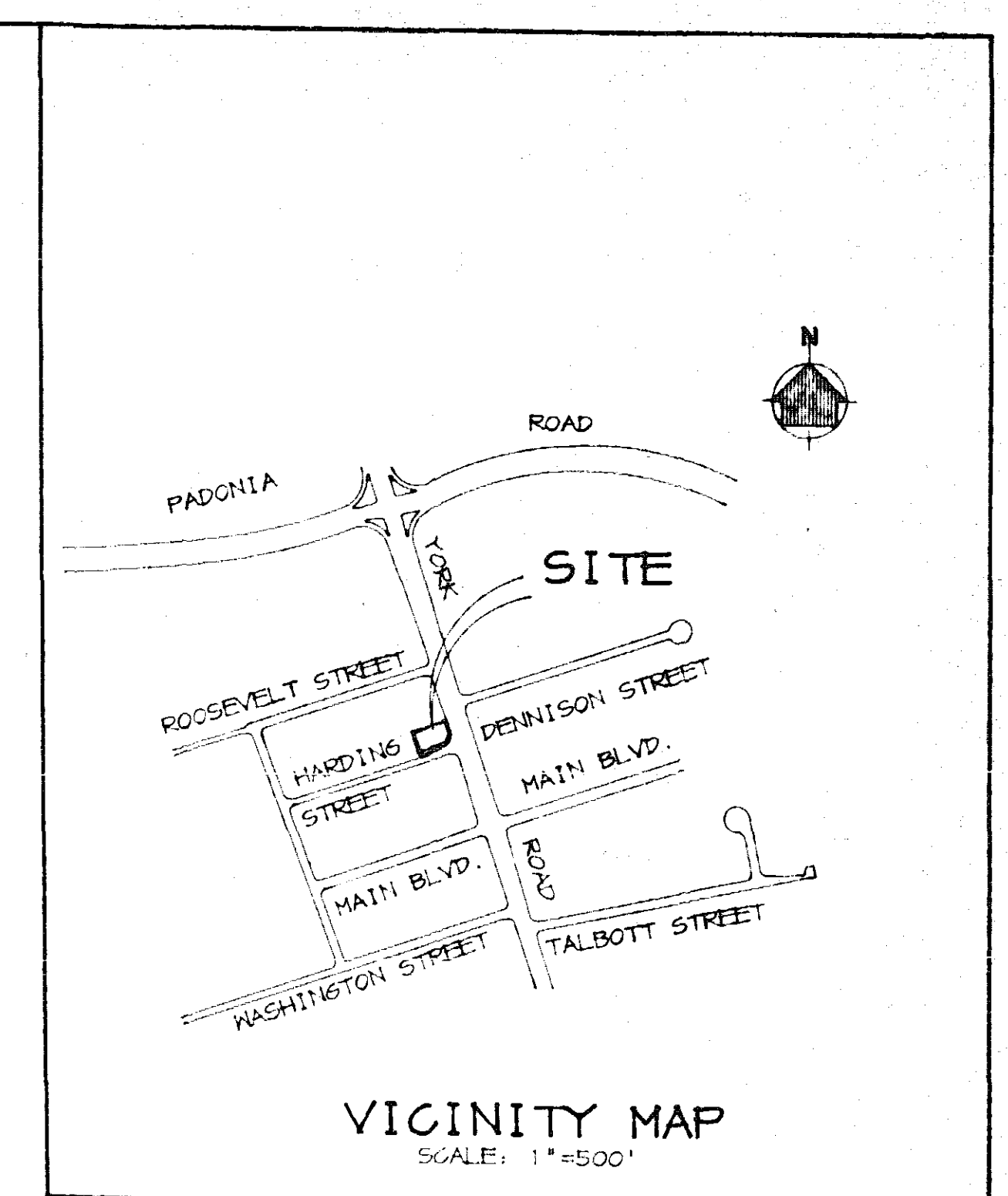
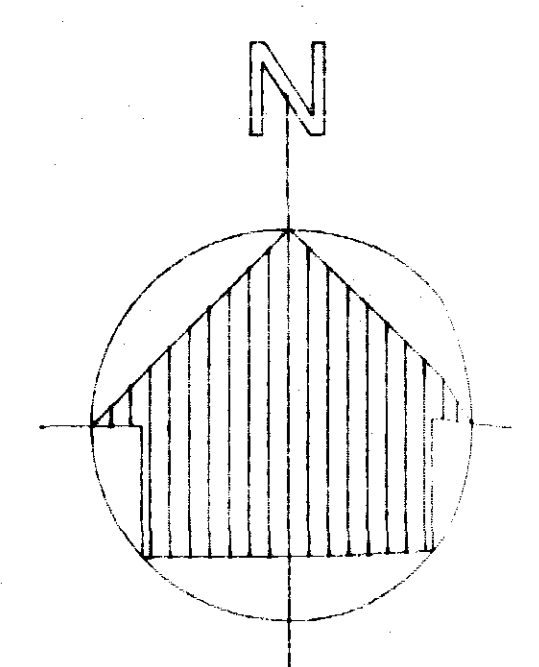
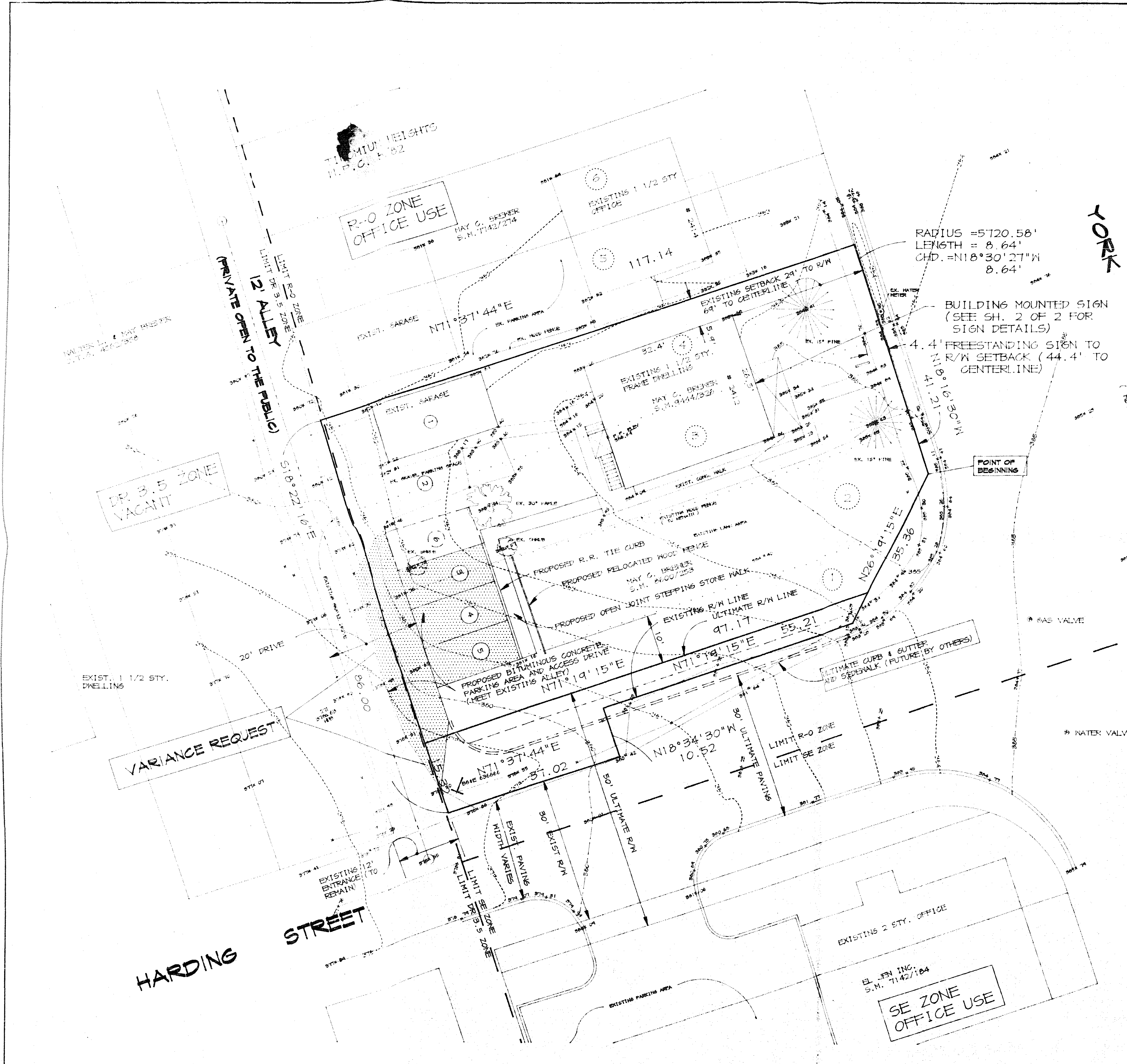
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
RICHARD TRUELOVE P.E.	26 E. SUSQUEHANNA AVE.
WIKI SCHLABACH	TOWSON MD 21204
Walter L. Brewer Jr.	3 KENNEDY ST
	Towson, MD 21204



-NW
 -SW
 ITEM 405 2412 YORK ROAD
 EONING MAP N.W. 15-A
 93-410-A
 REVISED IN SELECTED AREAS
 MADE BY PHOTOGRAMMETRIC METHODS
 INC. BALTIMORE, MD: 21210



NOTES:

- EXISTING ZONING: R-0
PROPOSED ZONING: R-0 WITH VARIANCE TO SECTION 409.4(b) TO PERMIT PARKING SPACES TO ADJOIN AND HAVE DIRECT ACCESS TO A PRIVATE ALLEY IN LIEU OF THE REQUIRED 24' SETBACK, AND TO PERMIT THE CONTINUED USE OF THE EXISTING ALLEY TO ACCESS AN OFFICE USE IN AN R-0 ZONE, AND TO ALLOW AN EXISTING TWO-WAY ENTRANCE INTO A PUBLIC ROAD TO CONTINUE IN LIEU OF THE REQUIRED 24' FOOT MINIMUM WIDTH.
- EXISTING USE: RESIDENTIAL OFFICE (25% MAX. MEDICAL)
- PROPOSED USE: RESIDENTIAL OFFICE (25% MAX. MEDICAL)
- SITE AREA:
NET: 3889 S.F. (0.09 AC.)
GROSS: 4244 S.F. (0.097 AC.)
- THERE ARE NO EXISTING SIGNS ON THE PREMISES. SEE SHEET 2 OF 2 FOR DETAILS OF THE PROPOSED SIGNS HEREON.
- HOURS OF OPERATION: 7 A.M. TO 7 P.M.
MAXIMUM NUMBER OF EMPLOYEES: FIRST FLOOR = 6
SECOND FLOOR = STORAGE ONLY - NO EMPLOYEES
- THE DWELLING HAS NOT BEEN ENLARGED IN FLOOR AREA BY 10% OR MORE WITHIN A PERIOD OF FIVE YEARS PRIOR TO THE DATE OF APPLICATION FOR CHANGE OR CONVERSION.
- OWNERSHIP:
TIMONIUM HEIGHTS SECTION "H"
LOTS 1 & 2 MAY C. BRENER S.M. 8600/255 ACOTS 08-19-00/84
LOTS 3 & 4 MAY C. BRENER S.M. 8444/325 ACOTS 09-13-02/210
- PARKING REQUIRED (SEE SHEET 2 OF 2 FOR FLOOR AREA DETAILS):
a. GENERAL OFFICE USE
1st FLOOR AREA (32.4x26.5) = 859 S.F.
2nd FLOOR AREA (32.4x12) = 389 S.F. (STORAGE ONLY)
TOTAL ADJUSTED GROSS FLOOR AREA = 1248 S.F.
PARKING REQUIRED @ 3.3 SPACES/1000 S.F. = 4.1 USE 5 SPACES REQ.
b. WITH 25% MEDICAL OFFICE
1st FLOOR - GENERAL OFFICE = 847 S.F.
MEDICAL OFFICE = 312 S.F.
2nd FLOOR - STORAGE = 389 S.F.
TOTAL NON MEDICAL FLOOR AREA = 1236 S.F.
PARKING REQUIRED @ 3.3 SPACES/1000 S.F. = 3.1 USE 4 SPACES REQ.
TOTAL MEDICAL OFFICE = 312 S.F.
PARKING REQUIRED @ 4.5 SPACES/1000 S.F. = 1.3 USE 2 SPACES REQ.
TOTAL SPACES REQUIRED WITH 25% MEDICAL OFFICES = 6 SPACES.
NOTE: THE 6th SPACE IS SHOWN DASHED AND WILL BE PROVIDED IF MEDICAL OFFICES ARE LEASED.

NOTE: THE PROPERTY OUTLINE SHOWN HEREON IS FOR THE PURPOSE OF ESTABLISHING CONDITIONS FOR A CLASS A OFFICE CONVERSION ONLY. IT IS NOT MEANT TO REPRESENT A PROPERTY SURVEY, NOR TO BE USED FOR BUILDING SETBACK DETERMINATION.

PLAN TO ACCOMPANY APPLICATION FOR ZONING VARIANCE

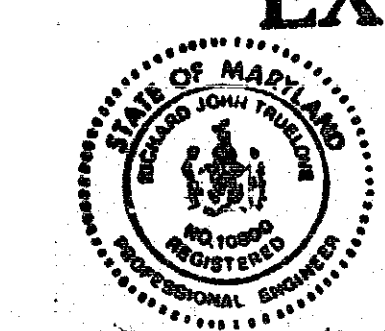
2412 YORK ROAD

6th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
COUNCILLING DISTRICT 3 MAY 10, 1995

OWNER/AFFILIANT:
MRS. MAY C. BRENER c/o WALTER L. BRENER, INC.
3 ROOSEVELT STREET
TIMONIUM, MARYLAND 21049
(410) 252-1414

PETITIONER'S EXHIBIT 1
ITEM # 405
SHEET 1 OF 2

PLAN
SCALE: 1"=10'



PLAN PREPARED BY:
RICHARD TRUELOVE P.E., Inc.
registered civil engineer
28 East Susquehanna Avenue
Towson, Maryland 21286
(410) 404-4814 FAX (410) 282-3827

93-410-A